(ङ) यदि नहीं, तो इसके क्या कारण हैं?

विधि न्याय और कंपनी कार्य मंत्री (श्री एम० तम्बी दुरई): (क) भारत के संविधान का अनुच्छेद 130 यह उपबंध करता है कि उच्चतम न्यायालय दिल्ली में अथवा ऐसे अन्य स्थान या स्थानों में अधिविष्ट होगा जिन्हें भारत का मुख्य न्यायमूर्ति, राष्ट्रपति के अनुमोदन से, समय-समय पर, नियत करे।

(ख) तमिलनाडु, आंध्र प्रदेश और कर्नाटक राज्य की सरकारों ने दक्षिण भारत के लिए क्रमशः राज्यों की राजधानियों में उच्चतम न्यायलाय की न्यायपीठ स्थापित करने हेतु सुझाव दिया था। त्रिपुरा और पश्चिमी बंगाल की सरकारों ने कलकत्ता में उच्चतम न्यायलाय की एक न्यायपीठ की स्थापना की इच्छा की। पूर्वी और पूर्वोत्तर राज्यों में विधि मंत्रियों ने सर्वसम्मति से एक संकल्प अंगीकार किया कि उच्चतम न्यायालय के लिए यह आवश्यक है कि उनके क्षेत्रों में उपयुक्त स्थान पर अधिविष्ट हों।

(ग) जी, नहीं।

(घ) प्रश्न ही नहीं उठता।

(ङ) इस संबंध में भारत के मुख्य न्यायमूर्ति से कोई प्रस्ताव प्राप्त नहीं हुआ है।

Vacancies earmarked for SC/ST/OBC judges

699. SHRI GOVINDRAM MIRI: Will the Minister of LAW & JUSTICE be pleased to state:

(a) details of vacancies of judges indifferent High Courts and CATs as also in Supreme Court as on date;

(b) details of vacancies which are earmarked for SC, ST and OBCs; and

(c) the steps taken to fill the vacancies?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) As on 1.5.1998, against the sanctioned strength of 26 Judges, 21 Judges were in position in the Supreme Court of India, leaving 5 vacancies of Judges to be filled up.

As on 1.5.1998, against the sanctioned strength of 585 Judges/Additional Judges, 481 Judges/Additional Judges were in position in the High Courts, leaving 104 vacancies of Judges/Additional Judges to be filled up.

As on 1.5.1998, there were 3 vacancies of Vice-Chairman, 3 vacancies of Judicial Members and 10 vacancies of Administrative Members, in various benches of Central Administrative Tribunal.

(b) The Constitution does not provide for reservation in the matter of appointment of Judges of Supreme Court and High Courts on the basis of caste or class of persons.

No formal reservation has been prescribed for SC/ST/OBC in appointment of Members/Vice Chairman/Chairman in the Central Administrative Tribunal.

(c) The procedure for appointment of Judges of High Courts, Supreme Court and Members/Vice Chairman/Chairman in the Central Administrative Tribunal involves consultations among several constitutional authorities. Every effort is being made to fill existing vacancies at the earliest.

Vacancies of Judges in Supreme Court and High Courts

700. SHRI HANSRAJ BHARDWAJ: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) number of vacancies of Judges in the Supreme Court of India and in various High Courts of the country;

(b) the dates since when the vacancies have occurred; and

(c) the reasons for not filling the vacancies?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) to (c) As on 1.5.98, against the sanctioned strength of 26 Judges, 21 Judges were in position in the Surpeme Court of India, leaving 5 vacancies of Judges to be filled up. These vacancies arose on 12.6.1997, 13.7.1997, 21.12.1997, 18.1.1998 and 1.5.1998.

As on 1.5.1998, against the sanctioned strength of 585 Judges/Additional Judges,

481 Judges/Additional Judges were in position in the High Courts, leaving 104 vacancies of Judges/Additional Judges to be filled up. These vacancies arose, from time to time, due to retirement, resignation and elevation etc. of the Judges.

The procedure for such appointments involves consultations among several constitutional authorities. Every effort is being made to fill existing vacancies at the earliest.

Election in States

701. SHRI SITARAM KESRI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the States in which elections are due to be held during the year 1998;

(b) whether Government propose to hold elections, separately for each State;

(c) whether any consultations have been held with the Chief Ministers of respective States;

(d) if so, details thereof; and

(e) if not, whether Government propose to have consultations before finalising the schedule for holding these elections?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) General elections to the Legislative Assemblies of Mizoram, Madhya Pradesh, Rajasthan National Capital territory of Delhi due to be held by December, 1998.

(b) The Election Commission of India has not yet taken any decision regarding holding general elections to the aforesaid four Legislative Assemblies either separately or according to a common programme.

(c) No, Sir.

(d) Does not arise.

(e) The Election Commission of India has informed that under its plenary powers, it is not required to consult the Chief Ministers in this regard.

Vacancies of High Court Judges

702. SHRIMATI VEENA VERMA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of vacancies of High Court Judges as on April 1, 1998, in different High Courts; and the percentage of such vacancies constitute with respect to the total number of sanctioned post of judges; indicating the period for which the vacancies are lying;

(b) the total back-log of cases in each High Court; and

(c) the reasons for the delay in following up the vacancies?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI M. THAMBI DURAI): (a) As on 1.4.1998, against the sanctioned strength of 585 Judges/Additional Judges of High Courts, 485 Judges/Additional Judges were in position, leaving 100 vacancies of Judges/Additional Judges to be filled up. These vacancies arose, from time to time, due to retirement, resignation and elevation etc. of the Judges.

(b) A statement is laid on the Table of the House. (*see* below)

(c) The procedure for appointment of Judges of High Courts involves consultations among several constitutional authorities. Every efforts is being made to fill existing vacancies at the earliest.

Statement

Pendency of cases in the High Courts as on 31.12.1997

Sl. No.	Name of the High Court	Number of cases pending
1.	Allahabad	865455*
2.	Andhra Pradesh	133,211
3.	Bombay	235,381
4.	Calcutta	282,209
5.	Delhi	165,855 (up to 6/97)
6.	Gauhati	34,165